

April 30, 2014

Lately, there has been publicity about a feud between the Tucson Police Officers' Association and Council Member Steve Kozachik. I have intentionally kept myself out of this conversation, since I recognize that the issue of pay and compensation is an issue for the labor union and the City to discuss and negotiate. However, the dialogue has changed course and comments by CM Kozachik have unfairly attacked the Police Department and cast a negative light on the image and reputation of the agency. I need to respond to that in order to make sure that the public has a clear understanding of the difference between the Department and the labor association.

I must clarify that the Tucson Police Officer's Association is the duly appointed collective bargaining representative for the Sergeants, Detectives and Officers of the agency in labor matters, and does not in any way speak for or control the actions, administration, or discipline of the agency. Those are my responsibilities. When CM Kozachik made the statement in his April 24 newsletter, "First, let me say that there's something a bit off kilter when the police are investigating an elected official (or anybody) for things he does that are not in violation of the law", he is causing confusion for the public regarding the distinction between the Police Department and the TPOA. I can assure you that the Tucson Police Department is not investigating CM Kozachik. As for the issue of CM Kozachik's salaries from both the City and the University of Arizona, both items are public information. An inquiry into those salaries is not an investigation, but a lawfully protected inquiry to maintain transparency for publicly funded services; all public employee salary information is open for inspection and disclosure, including mine, as has been done numerous times.

In the Arizona Daily Star article of April 6 that focused on the Sick Leave Sell Back program, CM Kozachik stated that "The purpose of sick days is so someone doesn't take a hit when they're out sick." I completely agree, and apparently so did the TPOA when they negotiated the benefit since there are required minimum levels of tenure and sick leave hours that must be obtained prior to qualifying for the program. This insures that the employee will have sufficient leave to carry them through a long term illness. It also serves as an incentive for officers to responsibly use sick leave, and to be at work as much as possible so that they can build their leave balances for the future. This translates as a benefit to the City since it helps alleviate the stresses already occurring because of financially caused staffing reductions. I am sure it is the same rationale used by CM Kozachik's primary employer, the University of Arizona, who according to spokeswoman Elizabeth Baker in an April 29 article in the Star "...does pay employees for its unused sick days when they retire." Whether an employee receives compensation for some of their unused sick leave on a regular basis throughout their career, or at the end of their career, it still serves as an incentive for them to minimize the use of sick leave, and as part of their overall compensation package.

CM Kozachik further states (referring to sick days) that, "They shouldn't be used as an annual Christmas bonus for those at the top of the pay scale." I am not quite sure what he is referring to since the Sick Leave Sell Back program is contained as part of the bi-weekly compensation program, and is not given as any type of bonus. If he is just trying to infer that it is an unearned

bonus, I would disagree, as it is an earned benefit paid out by the City as agreed to in the negotiation process with the labor association. By virtue of being employed here for over 33 years, I am fully aware that this program was implemented in lieu of compensation increases to one's base salary over 14 years ago. Police Officers and Firefighters are not taking anything that was not offered to them as part of their pay package by the City. To infer they are doing anything different or unethical is inaccurate and misleading.

In the aforementioned April 29 article in the Star concerning the conflict between CM Kozachik and the TPOA, the Council Member allegedly made the statement "...the union's misuse of information raises doubt on how officers conduct other internal investigations, such as the recent handling of the University of Arizona riots. What other facts are they playing fast and loose with to protect their interests?" Once again, CM Kozachik is trying to confuse the TPOA with the Tucson Police Department. However, this time he is inferring that police officers will lie to protect their interests. I cannot let this allegation go unchallenged.

I can assure CM Kozachik and the rest of the community that we are doing a thorough and complete review of the incident to which he is referring. In order to avoid even the image of impropriety, I requested the Department of Public Safety to handle the criminal investigation into the issue with one of our members that caused a well-publicized controversy. I appointed an official Board of Inquiry that will review the entire incident, and the Independent Police Auditor sits on this board. Once these inquiries are completed, they will be made available to the media and the public according to all applicable public record laws. No one is playing fast and loose with any facts.

Finally, in his April 28 newsletter, CM Kozachik posted a picture of a crying infant in a crib and made the statement that, "Sometimes we had to just let our daughter cry herself to sleep and ignore the noise." inferring that the TPOA are just a bunch of crying children that it was best to ignore. According to media coverage of the dispute, Bill Bonanno, the President of the TPOA stated that the TPOA's door is open to CM Kozachik anytime he wants to discuss the situation. My hope is that the Council Member and the TPOA can arrive at some type of dialogue that helps to relieve the animosity, and return to a working relationship. I also hope that there are no further attempts to degrade the image and reputation of the Department, for the sake of winning an argument with the labor association. They are two separate entities, and the community should not be misled about that.

I think that Council Member Regina Romero and Mayor Jonathon Rothschild were correct in that they encourage following the protocol and process of the City's contract negotiations. Employee compensation issues need to be conducted within the professional guidelines of the human resource functions of the City, where both management and labor sit down to discuss the entire compensation issue, taking all factors into consideration. It cannot be accomplished in a piecemeal fashion that targets only one segment of employees.

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